

Date 06-24-2018

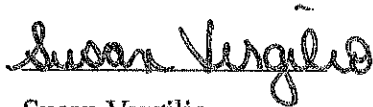
To: The honorable Judge Brian Morris, U.S. Federal Courts

From: Susan Vergilio

RE: Jaycob Kutzera

As a mother my heart is broken in a million pieces for several reasons. First, our son is a kind, caring individual who always puts the needs of others before his own. He is not some monster who stalks young girls on the internet to exploit them and take advantage of them as the prosecutor would like you to believe. Second, my heart breaks for this troubled, young girl. Using her body to gain attention from men too old for her is wrong. It is even more difficult to understand how that her mother was aware of her behavior and did little to stop her. Any mother knowingly allowing her daughter to exchange pictures with adult men should be prosecuted herself. Then, blaming all of her daughter's problems on our son when she knew that her daughter had already done this before and has done it again since our son's arrest shows the lack of parental supervision this child has. Why isn't she in protective custody? Third, a life is being destroyed. Our son will spend 15 years of his life in prison and then have to register as a sex offender. How is this justice? He was in possession of pictures he did not share, print, or reproduce for anyone else. He was not found to be on any other child porn sights or any relating to pedophilia. He is guilty of being immature and naive to the ways of the world not exploiting a child. Please your honor, take these factors into consideration and give Jay a fair sentence. Thank you

Sincerely:

A handwritten signature in cursive script that reads "Susan Vergilio". The signature is written in dark ink and is positioned above the printed name.

Susan Vergilio

Honorable Judge Morris,

My name is Christopher Vergilio, and I am Jaycob Kutzera's step-brother. My first memories of Jaycob are blurred because we were so young when we met. Since then he has been a constant in my life. We have grown up together as brothers and I have always known him to be kind, generous, and respectable.

As Jaycob and I grew up, we bonded over many shared interests and experiences. We spent hours playing Star Wars video games and exploring the large backyard in the house our family lived in. He was always a great mentor to me, and many of the things he has taught me and shown me have benefited me to this day. Of all my siblings, Jaycob and I are the closest in age, so we have always had a good understanding of each other. He is eager to help others when he sees that they need it, and likes to make sure people have their fair share. He is someone who I admire because he is a very selfless and caring individual.

Many others view Jaycob in a similar light as I do, as I'm sure you will read in the other letters you receive. Jaycob is a hard working person, always willing to lend a hand whether it be to my father on his handyman jobs, or community leader Lloyd Pober at his trophy shop. In this way, he gives to the community and his absence will leave a gaping hole. Furthermore, the impact of Jaycob's absence on our family will be devastating. My step mother will be without her only little boy. Our nieces and nephews will be without their favorite uncle Jaycob. And I myself will be without my brother, whom I enjoy spending time with and talking about our shared interests, such as trading cards and video games.

While I understand the law, I believe the mandatory minimum is doing more harm than good. Jaycob is a person with no prior record, who has never acted maliciously. Forcing him to go through this system does more harm than good, not only to him but to the community at large. The punishment being proposed is not proportional or just. The impact of his absence for such a long period of time will inevitably create an empty hole in our family and our community. I implore you to reconsider the ramifications of this situation.

Sincerely,

Christopher Vergilio

Date 06-24-2018

To: The honorable Judge Brian Morris, U.S. Federal Courts

RE: Jaycob Kutzera

I would like to say that Jay is a good friend of mine and my Dad. I am only 14 but he is one of my friends and has never made sexual contact or advances towards me. So, to me, what happened was an accident. Everyone makes mistakes so, please give him a chance.

Sincerely:

Lexi Epperson

A solid black rectangular box used to redact the signature of Lexi Epperson.

May 28th, 2018

Dear Honorable Judge,

My name is Lloyd B. Pober. I own the establishment named Tennis & Trophy World in Victorville, California. Our family business has been in Victorville since 1972.

I am writing to you regarding the case of Jaycob Kutzera. Jaycob came into our lives through our association with his stepfather Joseph Vergilio who owns J&S Home Improvement Service.

We have had numerous interactions with Jaycob both professionally and socially. Professionally Jaycob would show up on time and ready for the day. With his great attitude, he was courteous, hard-working, and respectful at all times.

Socially he was at our home on many occasions when our daughters and their friends were present. Jaycob always behaved in a manner that showed respect, good nature, positive spirit, and general kindness. We have spoken with our daughters regarding Jaycob's serious situation and they have confirmed that they were always comfortable in his presence.

Your Honor, I hope my letter to you helps shed some light on Jaycob as a person. My contact information is listed below.

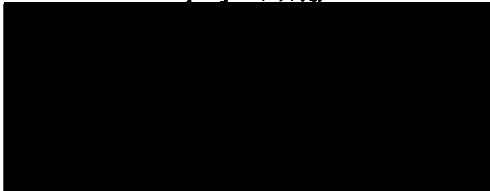
Sincerely,

*Lloyd B. Pober*

5-28-2018

Lloyd B. Pober

Tennis & Trophy World



I have known Jaycob for a long time. I met him in high school & we have dated a few time. We had our differences in the past but he is a good friend so I am writing a letter on his behalf. Jaycob is a good person who messed up but he is not the only one at fault. This girl, even though she is a minor, knew what she was doing and still did it. She needs some type of help since this isn't the first time she has done this. Also her mother needs to be reprimanded for allowing her daughter to expose herself to older men & not doing anything about it. He does not deserve 15 years in prison for something that was NEVER physical. I do feel he needs a few years in prison or counseling because what he did was still wrong, but there is no justice in sending him to prison for 15 years when other pedophiles sometimes don't even get 15 years and in those cases they were physical. I hope that you, the judge, read mine & all the other letters and decide what will be a fair sentence to give Jaycob. He is not a monster that the prosecutors are making him out to be. He did this because he felt that she cared for him & thought she was over 18. All he ever wanted was/is to be loved but he wouldn't do anything to a minor if he known. Jaycob is a good man, he does not deserve 15 years. Thank you for overseeing this case.

Sincerely,

Danielle Stahl

Dear Honorable Judge,

My name is Mara Pober and I am a Behavioral Interventionist for children with Autism and related disorders. I am writing this letter on behalf of Jaycob Kutzera. I met Jaycob through Joe Vergilio who has done many home improvement jobs around my family's home. Jaycob worked for Joe's company. My family and I are very good friends with Mr. Vergilio and we often spent time together socially which Jaycob was a part of.

I am aware of Jaycob's criminal charges but nothing in his behavior ever suggested anything other than a person of excellent character. Jaycob was very well mannered and always the first to offer a helping hand.

I am very grateful to Jaycob for his generous assistance in setting up my elderly grandmother's assisted living apartment. From hanging pictures to moving her furniture in the exact right position, the patient and nurturing way he helped my grandmother was sensitive, professional, and generous. It made my grandmother truly happy and helped her to feel comfortable in her new home.

In my interactions with Jaycob, I never observed any behavior that was anything but kind, polite, considerate, and gentle.

Should you need any further statement from me, my contact is listed below.

With utmost sincerity,

Mara L. Pober  


Your Honor,

Let me start by first saying thank you for taking the time to read this. I have known Jaycob for over 10 years now. I am his stepsister. Just a little background about myself, I am a full-time employee, student and mother, as well as, a member of the California Army National Guard as a Military Police officer. You do not know me or Jacob so I'm going to try to give you a better picture of the young man I know and my honesty and integrity are two things I hold very dear. It is the number one rule in my marriage, for my kids and in my day to day life. I will not lie for anyone. To speak to the character of Jacob is what I hope to do so you may better understand the person behind your decision in sentencing. Jacob has always been a very quiet and shy kid. He is a great uncle to my two young boys and loves to play video games and build models. He only ever really had one girlfriend whom he loved and gave everything to before she cheated on him and left. After they separated I could see how depressed he was, almost as if he felt like he was going to be alone for the rest of his life. I have not been given the details of which page he was a member of when he met this young girl but knowing Jay it was probably something with anime or some other dorky thing. He really is just a kid in an adults body. With the information I know about his situation and the things this young girl was doing with other men before Jay and is still doing now after, I can not possibly understand how he is being found guilty at all but with facing possible sentencing of such a ridiculous amount of years. This young girl knew exactly what she was doing and is walking away as if she were a victim while my stepbrother's life is being ripped apart. Just to give you some background, your honor, as to why this is not justice. My niece was raped for nearly 5 years as a baby by her stepdad, she was not even 7 when he was arrested and because he plead guilty he was sentenced to 4 years and was out in 2. And now you are telling me that this young man before you who was under the impression he was engaging in an adult conversation via the internet with another consenting adult is facing up to 18 years for pictures. I am not saying that the situation was okay by any means, merely that the punishment should fit the crime. Also, this young woman should be held equally responsible for producing these images willingly herself. I don't understand how she is allowed to walk away from this as some kind of victim, when she was the one producing and distributing child pornography. As a young woman myself I would like to put it on the record that even the most well mannered and conservative young girls are at the very least willingly sending these types of pictures to young men. When I was in my early teens we did not have the technology to do this but my sisters, friends and even myself would talk on AOL messenger, the Facebook of our time, to older boys or men. To be completely honest I feel sorry for my two sons if this is the justice system they will be growing up with. Where there is a complete double standard of what justice is for men and women. If you keep allowing young girls like this one to walk away from situations they are willingly creating with no consequences they will never learn. There needs to be consequences for both of their actions and those consequences need to be fair. I have such little faith in the justice system after watching my nieces rapist get a slap on the wrist for abusing a baby. Please do not make an even worse injustice by sending this young man away for what I see is clearly a victimless crime. If young boys and girls are being charged as adults at 13 in other cases she should be held responsible for her part in these situations, she knew what she was doing and has continued to do it. I hold my eight and ten year old's responsible for their actions so why should this young girl get a pass. I have no doubts that she will continue to produce and distribute these images until she is held accountable for her actions as well. This case has given Jaycob a huge wake-up call as to making smarter choices when it comes to his interactions with young girls as well as his actions online, he understands his wrong doing and I know he would never hurt anyone or go after a child that way.

Please your honor when sentencing Jaycob, know anything even close to what is being requested is cruel and unnecessary punishment and does not in anyway fit the crime. He is not a predator or pedophile. He deserves the chance to have a normal life after this and find someone to have a life with, please do not take that from him.

Sincerely,

Ileen R. Bernhard



Date 06-24-2018

To: The honorable Judge Brian Morris, U.S. Federal Courts

From: Joseph Vergilio

RE: Jaycob Kutzera

I am a 60 year old man who has spent time in the Federal, State and County Jail systems and was able to turn my life around because of a federal judge. I now own a business, have 30 years of sobriety and at one point had lunch with the governor of California, so I consider myself fairly intelligent and have quite an experienced and well varied life. Right now, for the life of me, I cannot wrap my mind around what is happening in Jaycob's case.

How can an adult who enters an adult web site, responds to a chat request, then after almost a month starts a sexual role play with this supposed adult and end up fighting for his life?

I know this girl was twelve, but Jaycob did not know this for over a month and a half where several explicit pictures were exchanged during this time. Only after this did she reveal that she was under age. She had done this with someone before Jaycob, then with Jaycob and then again after Jaycob. Now for the government to say Jaycob is responsible and she is not culpable for her actions is beyond my comprehension.

Jaycob is a kind, respectful, loving human being. He never at any time would wish harm or take advantage of anyone. Yes he is my Step-son, but he is just that, "My Step-Son" and I have no reason to do all I have done for him including putting up our family home of 3 generations, to keep him out of jail throughout this crazy ordeal. With my background in prison and the criminal world if I thought he was capable of doing any of the things the government has claimed I would never have gone this far for him, but I did and for good reason.

If anything Jaycob is guilty of making a bad decision that caused him to possess child pornography. He has never visited any child pornography sites, shared any of the photos and fits no profile of a pedophile and for him to face 15 years in prison is again beyond my comprehension.

Your honor, I respectfully request that you can do what the judge in my case did. Saw a young kid who made some bad choices and he stepped in and gave me another chance. If you can your honor, find a way to abandon the guidelines and give him a reasonable sentence and not destroy his life.

Sincerely:

A handwritten signature in dark ink, appearing to read "Joe Vergilio", written over a horizontal line.

Joe Vergilio

Date 06-24-2018

To: The honorable Judge Brian Morris, U.S. Federal Courts

RE: Jaycob Kutzera

My name is Bill Epperson and I am writing this letter on behalf of Jaycob Kutzera. I have known Jaycob for over a year and work with him almost every day. During my interactions with Jay I have observed that he is a little immature. I have a 13 year old daughter and would have no problem with jay being around her and being safe. Jaycob is a good person and I consider him to be a good friend. He would give the shirt off his back if someone needed it with any question. He never physically touched this girl and from what I see he made a wrong choice, believing this girl was over 18 and sending pictures, etc. and then finding out she was not 18 seems to be an issue for her and her family, not jay and his life being ruined. I watch my daughter always and even she tells people she is older than she is and God knows what she says when she is alone our with her friends. He made a mistake and it should not cost him the most important part of his life. So please your honer, please consider all that I have put in this letter to help you decide this poor kids fate. If you need to question me please feel free to contact me or my daughter.

Sincerely:

Bill Epperson

